

## **3 FAM 3420 SICK LEAVE**

### **3 FAM 3421 GRANTING SICK LEAVE**

#### **3 FAM 3421.1 Policy**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

An employee may be granted current accrued and accumulated sick leave, and when necessary, current accrued and accumulated annual leave:

- (1) When incapacitated for the performance of duty by sickness, injury, or pregnancy and confinement;
- (2) For medical, dental or optical examination or treatment, including medical examination for reservists for recall to active duty, military training duty or determination of eligibility for retention in the reserve component, except that when a reservist is ordered to active duty for the examination, the absence will be charged to military leave, if available, or to annual leave.
- (3) When absent to care for and attend to an immediate family member ill at home with a contagious disease.
- (4) When, through exposure to contagious disease, the presence of the employee will jeopardize the health of others.
- (5) As provided in 5 CFR 630.401.
- (6) As provided in 3 FAM 3421.1, 3 FAM 3421 Exhibit 3421.2.

#### **3 FAM 3421.2 Granting Authority**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps/USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

See 3 FAM 3421 Exhibit 3421.2.

### 3 FAM 3421 Exhibit 3421.2

## GRANTING AUTHORITY

Personnel Category	Sick Leave Category	Approving Official
Principal Officer (State) Mission Director or USAID Representative	Current & accumulated leave	At his or her discretion
Principal Officers (Com- merce)	Current & accumulated leave	As Necessary. Report leave in excess of one workweek to hqrs, Office of FS Personnel
Heads of USIA overseas establishments	Current & accumulated sick leave not in excess of 30 days.	May be taken when necessary, subject to approval on audit by the USIA at the end of the year
	More than 30 days	The FS Personnel Division (M/PF of VOA/PF)
	Up to three days	Use own discretion
	More than three days	Headquarters
Other employees at posts abroad	Current and accumulated sick leave	State: Approving officer. Leave in excess of 3 days to be supported by a medical certificate.  USIA: Head of overseas establishment of designee, Report to FS Personnel Div. (M/PF of VOA/PF), sick leave taken in excess of 30 days.  USAID: Immediate supervisor  USDA: Head of overseas organization.  Commerce: Principal commerce officer.
All employees in the U.S.	Current and accumulated sick leave	Designed approving official
All employees	Advanced sick leave.	State: Officer at mission grants to principal officer at subordinate posts, official for other employees.  USIA: The FS Personnel Division (M/PF or VOA/PF). Requests must be accompanied by medical certificate.  USAID: Official authorized to grant current & accumulated leave.  USDA: FAS: See FARS 6325 APHIS: See Directive 420.6.  Commerce: Office of FS Personnel. Include medical certificate

### **3 FAM 3422 REPORTING ABSENCE ON ACCOUNT OF ILLNESS**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

Absence because of sickness or injury must be reported immediately to the officer authorized to grant sick leave. Failure to give such notice may result in charge to annual leave, leave without pay, or absence without official leave, as appropriate.

### **3 FAM 3423 APPLICATION FOR LEAVE ON ACCOUNT OF ILLNESS**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

The employee's own certification as to reasons for absence on account of illness normally will be acceptable for absence of three workdays or less. However, the employee may be required to submit a medical certificate or other administratively acceptable evidence for absence of three workdays or less if the head of the office to which the employee is assigned has reason to believe that the employee is improperly using sick leave.

(1) Except in cases of medical evacuation, the employee must submit a written application for grant of sick leave in excess of three workdays not later than two workdays after return to duty. In general, such application must be supported by a medical certificate; however, if the services of a physician are not utilized, the employee may submit a signed statement indicating the nature of the illness and the reason for not furnishing a medical certificate, subject to approval by the approving officer.

(2) When circumstances permit, requests for sick leave must be submitted to the officer authorized to grant leave in advance of absence.

(3) Permission from the supervisor must be obtained before an employee takes sick leave for medical, dental, or optical examination or treatment.

(4) All requests for sick leave due to exposure of the employee or a family member to a contagious disease must be supported by a certificate from a health authority which reflects the actual period of quarantine, isolation or restriction of movement.

## **3 FAM 3424 ADVANCE SICK LEAVE**

### **3 FAM 3424.1 Criteria**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

Advance sick leave is granted in cases of serious disabilities or ailments and when required by the exigencies of the situation. Such a serious disability or ailment may be of medical or surgical origin; and normally is one, as a result of which, the employee is completely incapacitated from official duties for five consecutive workdays or more. However, during periods of recuperation from serious illness in which employees cannot work full-time, but are able to work less than full-time, sick leave may be advanced for absence of less than five full consecutive workdays.

(1) Requests for advance sick leave must be submitted in writing and must be supported by a medical certificate or other satisfactory evidence in support of the request.

(2) Sick leave may be advanced only after all current accrued and accumulated sick leave is exhausted; however, in instances of prolonged illness or injuries, sick leave may be advanced even though the employee has annual leave to the employee's credit.

(3) Sick leave is advanced with the understanding that future absence due to illness must be charged to annual leave or LWOP until the total sick leave advance has been liquidated.

(4) Sick leave may not be advanced to an employee when it is known that the employee does not intend to return to duty.

### **3 FAM 3424.2 Restriction on Advance of Sick Leave to Certain Employees**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

Sick leave may be advanced as follows:

(1) Not to exceed 30 workdays may be advanced to employees who accrue leave, including employees serving a probationary period, and to employees holding appointments with no expiration date. In the event of another serious illness before liquidation of the original advance, an additional advance may be authorized not to exceed a total deficit of 30 workdays, subject to the same

restrictions that applied to the original advance. The approving officer will consider the circumstance of each individual case, including the employee's past record of use of sick leave, the recommendation of the employee's attending physician, and other pertinent factors.

(2) To employees holding temporary, limited-indefinite or time-limited appointments, except that such advances may not exceed the total sick leave which would accrue during the remaining period of such appointment. Appointments made subject to security clearance are considered as 90-day appointments until such clearance is made.

### **3 FAM 3425 SICK LEAVE BEFORE SEPARATION**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

An employee who is ill or disabled may be granted all current accrued and accumulated sick leave due, leave accruing on leave, and at the discretion of the appropriate leave-granting official, LWOP. If an ill or disabled employee resigns while on leave, the employee's leave-with-pay status shall terminate not later than the end of the payroll period current when the notification is received in the appropriate headquarters personnel office. If the employee has been granted sick leave which would extend beyond the end of the payroll period, the employee may be continued on sick leave until the expiration of the approved leave, provided that no advance sick leave may be utilized.

### **3 FAM 3426 SICKNESS DURING ANNUAL LEAVE, HOME LEAVE, OR TRANSIT TIME**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

When sickness or injury occurs within a period of annual leave or home leave, or when it necessitates an extension of transit time, the period of illness may be charged as sick leave, provided that the period of disability covers at least one workday. This substitution is not intended to cover routine visits to dentists or physicians. Applications for such substitution must be supported either by a medical certificate or, if the illness did not necessitate medical attention, by a signed statement from the employee indicating the nature of illness.

## **3 FAM 3427 ABUSE OF SICK LEAVE**

### **3 FAM 3427.1 General**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

The approving officer will review the circumstances surrounding seemingly excessive or indiscriminate use of sick leave to determine whether there is improper use of sick leave. The requirement for the proper use of sick leave should be reemphasized, and the employee may be required to furnish medical evidence of future illness even though the period of absence is three days or less. In the event the frequent use of sick leave is believed to be proper, the employee should be requested to seek medical advice. In case of continued excessive or indiscriminate use of sick leave, disciplinary action may be taken.

### **3 FAM 3427.2 Sick Leave and Outside Employment**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

Employees engaging in outside employment (whether for themselves or for others) within a period of requested sick leave must notify their leave-approving officer. All or part of the requested sick leave, as appropriate, must be denied if, in the opinion of the leave approving officer, the performance of such outside employment indicates the employee could reasonably have worked in the employee's regular Government position. Such absence will be charged to annual leave, LWOP, or absence without official leave.

## **3 FAM 3428 PROCEDURES AND GUIDELINES**

*(TL:PER-258; 4-10-95)*

*(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)*

*(Applies to Foreign Service & Civil Service Employees)*

See 3 FAH-1 H-3420.

## **3 FAM 3429 UNASSIGNED**